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6 Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 | UNITED STATES OF AMERICA,

12 Plaintiff,

13

14 JOSE MANUEL CHAVEZ ZEPEDA, and
DENIS ZACARIAS PONCE CASTILLO

Defendants.

CASE NO. 2:22-cr-00064-JAM

**STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER**

DATE: November 14, 2023

TIME: 9:30 a.m.

COURT: Hon. John A. Mendez

STIPULATION

1. By previous order, this matter was set for status on November 14, 2023.

2. By this stipulation, defendants now move to continue the status conference until **January**

21 **9, 2024, at 09:00 a.m.**, and to exclude time between November 14, 2023, and January 9, 2024, under
22 Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes more than 5,300 pages of investigative reports, photographs, phone toll records, and other materials, as well as video and audio recordings. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

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b) Counsel for defendants desire additional time to review the discovery, to review the charges and potential responses to the charges with their clients, to conduct factual investigation and legal research, and to otherwise prepare for trial.

c) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of November 14, 2023 to January 9, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: November 7, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ DAVID W. SPENCER

DAVID W. SPENCER
Assistant United States Attorney

1 Dated: November 7, 2023

/s/ Clemente Jimenez

2 Clemente Jimenez
3 Counsel for Defendant
4 JOSE MANUEL CHAVEZ ZEPEDA

5 Dated: November 7, 2023

/s/ Etan Zaitsu

6 Etan Zaitsu
7 Counsel for Defendant
8 DENIS ZACARIAS PONCE
9 CASTILLO

10 **ORDER**

11 IT IS SO FOUND AND ORDERED.

12 Dated: November 08, 2023

/s/ John A. Mendez

13 THE HONORABLE JOHN A. MENDEZ
14 SENIOR UNITED STATES DISTRICT JUDGE